

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DONALD J. ROGERS,

Case No. 3:99-cv-00625-MMD-VPC

Petitioner,

ORDER

v.

E.K. McDANIEL, *et al.*,

Respondents.

The Court issued an Order denying Petitioner's petition for writ of habeas corpus on March 17, 2003. (ECF No. 13.) Petitioner recently submitted a letter, inquiring as to whether he may petition the Court for review if he is able to demonstrate actual innocence. (ECF No. 15.) Petitioner has not filed a new petition for habeas corpus. His letter asks for advice, but the Court cannot give legal advice, nor issue an advisory opinion. Moreover, Petitioner should be aware that to file another petition for habeas corpus — a successive habeas petition — he must first obtain permission from the Ninth Circuit Court of Appeals. See 28 U.S.C. § 2244(b)(3)(A) ("Before a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.").

The Clerk is instructed to close this case.

DATED THIS 19<sup>th</sup> day of July 2016.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE